

The Regular Meeting of the Township Committee of the Township of Washington was called to order by Mayor Walsh at 7:30 P.M.

MEMBERS PRESENT: Comm. Cullen, Short, Tobin, Nedd, Mayor Walsh
Attorney Jansen, Administrator/Clerk Gallets, Recording Secretary Madden

MEMBERS ABSENT: None

Adequate notice of this meeting was sent to the Observer Tribune and the Morristown Daily Record on January 8, 2007 and was posted on the bulletin board in the Municipal Building on the same date. This meeting is being held at the Washington Township Municipal Building, 43 Schooley's Mountain Road, Long Valley, New Jersey. Notices of this meeting were sent, as there were requests.

PLEDGE OF ALLEGIANCE

OATHS OF OFFICE – *Washington Township Patrol Officer Scott Garrett Myers*
Washington Township Patrol Officer Joseph Richard Rooney

Clerk Gallets swore in the two new members of the Washington Township Police Department, Washington Township Patrol Officer Scott Garrett Myers and Washington Township Patrol Officer Joseph Richard Rooney. Police Commissioner Tobin introduced them to the other Township Committee members and the public.

GIRL SCOUT PRESENTATION – *Scout Emily Bowden, Troop 956 and Scout Amanda Keating* – Both scouts are working toward their Gold Award in Sr. Girl Scouts and described their projects to the Township Committee. Emily Bowden will be renovating the poolroom at the Fuzz Box and Amanda Keating will be renovating the Great Room at the Fuzz Box. The Township Committee expressed their pleasure at the projects and thanked the young women for their concern for the community.

SOIL DISTURBANCE PERMIT – PUBLIC HEARING – *Thomas and Joanne Fahy, 142 Old Turnpike Road*
(Block 45, Lot 16.02)
Leon C. Hall, Municipal Engineer

Mr. Fahy presented the certified list of property owners and the delivery/ mailing certification to the Township Clerk. Mr. Fahy presented his soil disturbance information with drawings and photographs relative to the soil disturbance. Mr. Ron Lai of Ferriero Engineering Inc. was also present to assist with any questions, as he had done the engineering work. Mr. Fahy explained the dirt had been imported from across the street, prior to his knowledge of any permits being necessary. He explained that they were also applying for a permit from the Morris County Soil Conservation District. He is also asking for a waiver of the soil testing regulations.

A letter was received from Norton Conservation Company, Inc. recommending that an affidavit be obtained from the owner of the property that supplied the dirt, certifying that the soil is free of contaminants. As the Township's soil consultant, Joe Norton stated that he would not object to waiving the testing procedure if an affidavit is provided.

Tom and Doreen Tafone, 148 Old Turnpike Road, submitted photographs and explained that they were receiving water from the Fahy property, which was creating a sinkhole in the rear of their lot. They explained that the newly placed soil to create a horseback riding rink on the Fahy property has covered a drainage easement. Attorney Jansen explained that the easement does not appear to run in favor of the Township but is mentioned in the deed to Mr. and Mrs. Fahy.

The Tafones also questioned the re-directing of drainage by the prior owners of Fahy's property. This work was done in about 2000. Mr. Fahy explained that that was prior to their purchase of their home and he knew nothing about it. He explained the water has always gone in the same direction across the front of his lot across the Tafones property to get to the river.

Leon Hall, Township Engineer, addressed the concerns he had identified in his letter of June 29, 2007. He felt Mr. Fahy had answered all of the questions.

Mrs. Gallets explained that the permit request would now be sent to the Engineer and the Environmental Commission and the Township Committee would take action at the August 20, 2007 meeting.

The public hearing on the soil disturbance was closed.

PUBLIC HEARING – *Morris County Open Space Trust Fund Application – Reservoir Road Project -*
Block 9, Lots 1, 2, and 6.02; Block 3, Lots 10 and 10.02
Land Donation – Block 42.03, Lots 17, 18, 19, 21 and 22

Mayor Walsh explained that an application is being made to the Morris County Open Space Trust Fund for the acquisition of these parcels. He opened the meeting for any comments.

Mr. Steve Blazier, 107 Drakestown Road, commended the Township Committee for their efforts in acquiring these parcels. He is an adjoining property owner to the Reservoir Road parcels and explained that this land is very environmentally sensitive and should be preserved if at all possible. He referred to the watershed for the Hackettstown Reservoir, which is on this property.

There being no further comments, Mayor Walsh closed this public hearing.

RO-17-07 – AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE TOWNSHIP OF WASHINGTON, MORRIS COUNTY, NEW JERSEY - SECOND READING AND PUBLIC HEARING

BE IT RESOLVED, by the Township Committee of the Township of Washington that an Ordinance entitled AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE TOWNSHIP OF WASHINGTON, MORRIS COUNTY, NEW JERSEY be read by title upon second reading and a hearing held thereon.

Motion was made by Comm. Short, seconded by Comm. Tobin that the foregoing resolution be adopted. Motion was carried by the following roll call vote:

AYES: Comm. Cullen, Short, Tobin, Nedd, Mayor Walsh

NAYS: None

ABSENT: None

ABSTENTIONS: None

Mayor Walsh opened the meeting to the public. There being no comments, Mayor Walsh closed the meeting to the public.

BE IT RESOLVED, by the Township Committee of the Township of Washington that an Ordinance entitled AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE TOWNSHIP OF WASHINGTON, MORRIS COUNTY, NEW JERSEY be adopted upon final reading and that said ordinance be published in the Observer Tribune according to law.

Motion was made by Comm. Short, seconded by Comm. Tobin that the foregoing resolution be adopted. Motion was carried by the following roll call vote:

AYES: Comm. Cullen, Short, Tobin, Nedd, Mayor Walsh

NAYS: None

ABSENT: None

ABSTENTIONS: None

RO-18-07 – AN ORDINANCE TO AMEND CHAPTER 137, PARKS AND RECREATION AREAS, OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF WASHINGTON, WITH RESPECT TO THE LONG VALLEY DOG PARK - SECOND READING AND PUBLIC HEARING

BE IT RESOLVED, by the Township Committee of the Township of Washington that an Ordinance entitled AN ORDINANCE TO AMEND CHAPTER 137, PARKS AND RECREATION AREAS, OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF WASHINGTON, WITH RESPECT TO THE LONG VALLEY DOG PARK be read by title upon second reading and a hearing held thereon.

Motion was made by Comm. Short, seconded by Comm. Tobin that the foregoing resolution be adopted. Motion was carried by the following roll call vote:

AYES: Comm. Cullen, Short, Tobin, Nedd, Mayor Walsh

NAYS: None

ABSENT: None

ABSTENTIONS: None

AYES: Comm. Cullen, Short, Tobin, Nedd, Mayor Walsh

NAYS: None

ABSENT: None

ABSTENTIONS: None

BE IT RESOLVED, by the Township Committee of the Township of Washington that an Ordinance entitled AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO AMEND CHAPTER 217, ZONING, OF THE CODE OF THE TOWNSHIP OF WASHINGTON REGARDING THE MUSCONETCONG AGE-RESTRICTED HOUSING OVERLAY ZONE be adopted upon first reading.

BE IT FURTHER RESOLVED that said Ordinance shall be further considered for final passage at a meeting of the Township Committee on August 20, 2007 at 7:30 p.m. at the Washington Township Municipal Building, 43 Schooley's Mountain Road, Long Valley, New Jersey at which time and place all persons interested shall be given an opportunity to be heard concerning same.

BE IT FURTHER RESOLVED that the Clerk be authorized to advertise said Ordinance in full in the Observer Tribune according to law.

Motion was made by Comm. Short, seconded by Comm. Tobin that the foregoing resolution be adopted. Motion was carried by the following roll call vote:

AYES: Comm. Cullen, Short, Tobin, Nedd, Mayor Walsh

NAYS: None

ABSENT: None

ABSTENTIONS: None

RO-21-07 – AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO AMEND CHAPTER 13, FIRE DEPARTMENT, OF THE CODE OF THE TOWNSHIP OF WASHINGTON TO ESTABLISH A JUNIOR FIREMEN'S AUXILIARY - INTRODUCTION AND FIRST READING

BE IT RESOLVED, by the Township Committee of the Township of Washington that an Ordinance entitled AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO AMEND CHAPTER 13, FIRE DEPARTMENT, OF THE CODE OF THE TOWNSHIP OF WASHINGTON TO ESTABLISH A JUNIOR FIREMEN'S AUXILIARY be introduced and read by title on first reading by the Township Committee.

Motion was made by Comm. Short, seconded by Comm. Tobin that the foregoing resolution be adopted. Motion was carried by the following roll call vote:

AYES: Comm. Cullen, Short, Tobin, Nedd, Mayor Walsh

NAYS: None

ABSENT: None

ABSTENTIONS: None

BE IT RESOLVED, by the Township Committee of the Township of Washington that an Ordinance entitled AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO AMEND CHAPTER 13, FIRE DEPARTMENT, OF THE CODE OF THE TOWNSHIP OF WASHINGTON TO ESTABLISH A JUNIOR FIREMEN'S AUXILIARY be adopted upon first reading.

BE IT FURTHER RESOLVED that said Ordinance shall be further considered for final passage at a meeting of the Township Committee on August 20, 2007 at 7:30 p.m. at the Washington Township Municipal Building, 43 Schooley's Mountain Road, Long Valley, New Jersey at which time and place all persons interested shall be given an opportunity to be heard concerning same.

BE IT FURTHER RESOLVED that the Clerk be authorized to advertise said Ordinance in full in the Observer Tribune according to law.

Motion was made by Comm. Short, seconded by Comm. Tobin that the foregoing resolution be adopted. Motion was carried by the following roll call vote:

AYES: Comm. Cullen, Short, Tobin, Nedd, Mayor Walsh

NAYS: None

ABSENT: None

ABSTENTIONS: None

RO-22-07 - AN ORDINANCE FIXING THE SALARY FOR A CERTAIN POSITION, IN THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, STATE OF NEW JERSEY - INTRODUCTION AND FIRST READING

BE IT RESOLVED, by the Township Committee of the Township of Washington that an Ordinance entitled AN ORDINANCE FIXING THE SALARY FOR A CERTAIN POSITION, IN THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, STATE OF NEW JERSEY be introduced and read by title on first reading by the Township Committee.

Motion was made by Comm. Short, seconded by Comm. Tobin that the foregoing resolution be adopted. Motion was carried by the following roll call vote:

AYES: Comm. Cullen, Short, Tobin, Nedd, Mayor Walsh

NAYS: None

ABSENT: None

ABSTENTIONS: None

BE IT RESOLVED, by the Township Committee of the Township of Washington that an Ordinance entitled AN ORDINANCE FIXING THE SALARY FOR A CERTAIN POSITION, IN THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, STATE OF NEW JERSEY be adopted upon first reading.

BE IT FURTHER RESOLVED that said Ordinance shall be further considered for final passage at a meeting of the Township Committee on August 20, 2007 at 7:30 P.M. at the Washington Township Municipal Building, 43 Schooley's Mountain Road, Long Valley, New Jersey at which time and place all persons interested shall be given an opportunity to be heard concerning same.

BE IT FURTHER RESOLVED that the Clerk be authorized to advertise said Ordinance in full in the Observer Tribune according to law.

Motion was made by Comm. Short, seconded by Comm. Tobin that the foregoing resolution be adopted. Motion was carried by the following roll call vote:

AYES: Comm. Cullen, Short, Tobin, Nedd, Mayor Walsh

NAYS: None

ABSENT: None

ABSTENTIONS: None

PUBLIC PORTION

Mayor Walsh opened the meeting to the public.

Peter Carroll Field - Dorothy Walter, 157 Black River Road questioned whether another field had been dedicated to Peter Carroll since the new dog park will no longer be called Peter Carroll Field. She also explained that a recent newspaper article was incorrect, as it indicated that Peter Carroll was 7 years old when he died; he actually was 15. He had been very active in high school baseball.

Comm. Cullen explained that there would be another field dedicated to Peter Carroll in the near future.

New ABC License – Attorney Rowland Lucid introduced Angela Bello, and her mother. Ms. Bello is the purchaser of the new liquor license the Township issued earlier this year.

There being no further comments or questions, Mayor Walsh closed the meeting to the public.

***ACCEPT RESIGNATIONS**

The following resignations were accepted:

Ronald T. Koumaras, III – Driver/Laborer, Department of Public Works, effective July 3, 2007

Christopher H. Tamburro – Communications Officer, Police Department, effective June 14, 2007

Dr. Herbert Carlin – Member/Vice Chairman, Board of Health, effective September 1, 2007

***RESOLUTION #R-125-07 – EXECUTE DEVELOPER'S AGREEMENT ON PRELIMINARY AND FINAL APPROVAL – THE TARGET CORPORATION – BLOCK 4, LOT 7.05**

***APPLICATION FOR PUBLIC EVENT – LONG VALLEY BASEBALL CLUB**

An application has been received from the Long Valley Baseball Club for a baseball tournament to be held on Thursday, July 19, 2007 and Friday, July 20, 2007 from 6:00 P.M. to 8:00 P.M., and on Saturday, July 21, 2007 and Sunday, July 22, 2007 from Noon to 2:00 P.M. at Palmer Park located on Bartley Road, Long Valley, New Jersey. Recommendations have been received from the Police Department, the Board of Health and the Zoning Officer.

***APPLICATION FOR PUBLIC EVENT – LONG VALLEY VILLAGE ASSOCIATION**

An application has been received from the Long Valley Village Association for a concert to be held on July 26, 2007 from 6:00 P.M. to 9:00 P.M. at Rock Spring Park located on East Springtown Road, Long Valley, New Jersey. Recommendations have been received from the Police Department, the Board of Health and the Zoning Officer.

AYES: Comm. Cullen, Short, Tobin, Nedd, Mayor Walsh

NAYS: None

ABSENT: None

ABSTENTIONS: None

Abbott-Burke Funding for Deprived School Districts – There was a lengthy discussion of the proposed resolution and its exact wording. This will again be discussed at the August Work Session. Comm. Tobin was asked to work on a draft resolution.

PUBLIC PORTION

Mayor Walsh opened the meeting to the public.

Kathy Smith, East Springtown Road, asked the Township Committee if it was possible that the Dog Park could open earlier than September 15, 2007, as the township and the neighbor seem to have come to an agreement. Attorney Jansen explained that to finalize all of the details will take some time. The September 15th date looks reasonable.

Harlan Parker, 525 Naughtright Road – Mr. Parker asked the Township Attorney if he could explain the status of the negotiations between the Township and Ms. Greenfield. Attorney Jansen responded that this matter would be discussed later in the Closed Session portion of the meeting.

There being no further questions or comments, Mayor Walsh closed the meeting to the public.

The Township Committee went into Executive Session at 10:05 P.M. upon approval of the following resolution.

RESOLUTION #R-139-07 - EXECUTIVE SESSION – PENDING LITIGATION: GREENFIELD v. WASHINGTON TOWNSHIP

Motion was made by Comm. Short, seconded by Comm. Tobin that the foregoing resolution be adopted. Motion was carried by the following roll call vote:

AYES: Comm. Cullen, Short, Tobin, Nedd, Mayor Walsh

NAYS: None

ABSENT: None

ABSTENTIONS: None

The Township Committee came out of Executive Session at 10:15 P.M.

The meeting adjourned at 10:16 P.M.

Dianne S. Gallets, Clerk